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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/080,933

02/22/2002

Jianzhong Zhang

59864.00665

6502

32294

7590

08/28/2006

SQUIRE, SANDERS & DEMPSEY L.L.P.

14TH FLOOR

8000 TOWERS CRESCENT

TYSONS CORNER, VA 22182

EXAMINER

CORRIELUS, JEAN B

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

31

<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	<p><b>Application No.</b> 10/080,933</p>	<p><b>Applicant(s)</b> ZHANG ET AL.</p>	
	<p><b>Examiner</b> Jean B. Corrielus</p>	<p><b>Art Unit</b> 2611</p>	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 8/15/06 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: \_\_\_\_\_.
- Claim(s) objected to: \_\_\_\_\_.
- Claim(s) rejected: 21 and 23-42.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_
13. ☐ Other: \_\_\_\_\_.

  
 Jean B. Corrielus  
 Primary Examiner  
 Art Unit: 2611

8-23-06

Continuation of 11. does NOT place the application in condition for allowance because: it is alleged that the office action took the position that Stenstrom teaches every element recited in claims 21, 26, 30, 32, 34, 36 and 38. However, it is noted that claim 21 is amended to recite the feature of claim 22. Claim 22, now amended claim 21, however was not rejected over Stenstrom alone rather the claim was further rejected in view of Zangi. Hence the point of argument made in reference to the rejection of claim 21, as amended, over Stenstrom alone is moot since the additional limitations not taught by Stenstrom is taught by Zangi. As per claim 32, applicant further alleged that Stenstrom et al does not teach the additional limitations of "applying the optimized feed forward filter parameters to a feed forward filter to define filter characteristics of the feed forward filter; applying the optimized feedback filter parameters to a feedback filter to define filter characteristics of the feedback filter; and simultaneously performing interference cancellation and pre-filtering operations on the data vector through operation of the feed forward and feedback filters. However it is noted that Stenstrom clearly teaches applying the optimized feed forward filter parameters to a feed forward filter to define filter characteristics of the feed forward filter see col. 4, lines 57-67; applying the optimized feedback filter parameters to a feedback filter to define filter characteristics of the feedback filter see col. 4, lines 57-67; and simultaneously performing interference cancellation and pre-filtering operations on the data vector through operation of the feed forward and feedback filters see col. 1, lines 39-55. with respect to claim 38, applicant argues that Stenstrom does not teach interference cancellation means in communication with a signal optimizer means. However it is noted that Stenstrom teaches means 520 and 522 corresponding to the claimed signal optimizer means in communication with the signal filter means 508; means 524 518 considered as the claimed "interference cancellation means" in communication with means 520 and 522 (signal optimizer means). it is alleged that Zangi does not teach an equalizer including a prefilter a summing element in communication with the prefilter, a feedback filter in communication with the signal optimizer and the summing device and maximum likelihood sequence estimator in communication with the summing element. However it is noted that Zangi clearly teaches such feature of the claimed invention more specifically, note fig. 3 of Zangi that shows an equalizer that includes a summing device 106 in communication with the prefilter 102 and a feedback filter 104 in communication with circuit 120 (signal optimizer) and the summing element 106 and a MSLE estimator 108 in communication with the summing element 106. Applicant's argument, see page 14, lines 3-9 is moot since such limitations part of claim 32 were indicated to be unpatentable over Stenstrom alone not in view of Zangi. See comment made with respect to claim 32 above. With respect to the applicant's comment made at page 15, line 12-page 16, line 5 is moot since the limitations lacking in Malkemes are taught the the other reference for Purpose of appeal, amended claim 21 will be rejected similarly as canceled claim 22.